

Testimony by Mark L. Schneider, Senior Vice President, International Crisis Group, to the House International Relations Subcommittee on the Western Hemisphere on “Moving Forward in Haiti, how the international community and the U.S. government can help”

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I am very pleased to be able to present testimony this afternoon on what needs to be done and what the international community can do to help keep open the window of opportunity in Haiti for security and development.

Now is the time for the international community and the U.S. to be forward-leaning, to provide all available resources to cooperate with the government led by President René Preval and the United Nations Mission in Haiti (MINUSTAH)—particularly on disarming the gangs and cleaning out corrupt police.

The government is virtually non-existent in much of Haiti. It is vital to extend the legitimate presence of the state in order to establish law and order, respect for human rights, basic public services and an economic framework for investment and job creation.

I returned from my most recent trip to Haiti two weeks ago, my fourth in the past 18 months, probably my 40th since my first visit in 1978. While the situation remains grim, I am slightly more optimistic than I have been in quite some time. But it is a limited form of optimism that Haiti may be able to avoid permanent failed state status.

When one returns to Haiti, the reality is always so much more complex and fragmented and the demands and crises always much more urgent than when we see them from Washington. Haiti remains the poorest country in the Western Hemisphere with the highest child mortality rate in the region—one of every four children dies before reaching the age of five. It has close to the highest maternal and infant mortality rates and an estimated 40 per cent of the school-age children are unable to attend school. Perhaps 80 per cent of the population lives in poverty, and economic growth is stymied in part by on-going environmental destruction.

Fragile, still violent, still stagnant economically, Haiti faces the most serious structural deficits in the hemisphere in physical infrastructure, in state institutional capacity, in public revenues, in human development, in political cohesion and in environmental well-being.

The Crisis Group has been in Haiti for two years and we have produced eight reports on the crisis. Our last report came just a few days before the swearing in of President René Preval in May. We singled out the challenges he would face in his first 100 days: Security, policing, economic renewal and human needs, political cohesion and judicial reform. I suspect they will remain key issues in his first 1000 days.

Security: Our next report will be coming out in a few weeks and it will directly focus on the security challenge facing the Preval government, the steps being taken to confront that threat and suggest what more needs to be done.

If the foundation of a functioning state is a monopoly on the use of force, and force is only to be employed to uphold the law, then Haiti is not yet a functioning state. There are too many guns in the hands of too many gangs and too many criminals using the cover of the Haitian National Police (HNP) to carry out kidnappings, drug trafficking and assaults.

President Preval's highest visibility security challenge is two-fold: to manage the demobilization and disarming of the illegal gangs in the Cité Soleil, Cité Militaire and Martissant slums of Port-au-Prince and other cities such as Gonaïves, and to rid the Haitian National Police of the corruption and criminals embedded there. The ex-FAd'H (ex-Armed Forces of Haiti) remain more nuisance than nemesis, mostly isolated in rural towns.

My slight tilt toward optimism, following discussions with President Preval and his security team, with the UNSRSG, the Brazilian general heading MINUSTAH and the acting head of UNPOL, the US Ambassador and USAID mission director and others inside and outside Haiti officialdom, was based on the following:

First, President Preval is personally engaged in pressing MINUSTAH and the HNP to encircle the gangs and ensure their acceptance of "voluntary demobilization and disarmament" or face the consequences.

Second, he also has given the green light to his police commissioner, his state secretary for public security and his chief advisor Bob Manuel—previously state secretary for public security and justice in his first term—to clean out the police. Working with MINUSTAH experts they have developed the plans to deal both with dismantling the gangs and with police reform. The plans may not be perfect but they are rational, appear feasible, and for once, they seem actually to have begun to be implemented. President Preval seems to be mustering the political will within his government to initiate them.

Third, there seems to be a willingness to move on strengthening customs controls, and rehabilitating and cleaning up ports and border crossings as a key element of the overall security approach.

They may only be small steps forward but in contrast with the recalcitrance of the interim government on many of these matters, they are milestones.

The interim government simply closed its eyes to the rising levels of kidnappings and violence during its tenure and did next to nothing to combat or confront its leaders. The levels of kidnappings rose to extraordinary levels—going over the 200 mark last December. From January until May, kidnapping dropped sharply. Then it began to rise again in June, and by August had topped 72 "official" kidnappings with the numbers of

individuals reported kidnapped well over 100. The actual number of kidnappings was probably close to double the “official” tally as many families avoided the police as they sought the release of their relatives.

The magnitude of the security failure can be seen in reports of rapes, murders and kidnappings during the interim government period, including reliable studies by the Inter-American Commission on Human Rights and the work of the UN High Commissioner on Human Rights. President Preval has endorsed a comprehensive violence reduction program which is designed to produce benefits for the entire community with MINUSTAH’s UNDP and the IOM—supported in part by USAID—helping to design the jobs and community action activities.

While the previous government made modest increases on some customs revenues, and was disposed to cooperate on port repairs, most observers still believe revenues may be less than half what they could be, which translates to \$100 not collected, and some estimates of lost revenues reach more than \$200 million. What is evident is that the official port authority simply does not control the docks.

Ganging up on the gangs:

The gang problem is manageable in terms of numbers with some 3-8 gangs in each of the major slum areas and perhaps 20-80 members in each of those gangs. Advances already have been achieved by the Latin American-led MINUSTAH military and police force to drive the gangs into smaller and smaller operating spaces.

One danger of course is that squeezing them from one end could result in some, as already has been the case, drifting outside the center city to nearby towns or other neighborhoods. A spate of murders and robberies in Petionville may well be a reflection of that trend. But even that consequence is better than their maintaining virtual life and death control over major urban areas of the capital. Although the majority of the country is relatively secure, the security situation in Port-au-Prince dictates the perception of security in the nation as a whole.

MINUSTAH also is carrying out the renewed mandate of the recent Security Council resolution 1702 to recognize the unique character to the demobilization and disarmament of Haiti’s largely criminal gangs—but to insure they are dismantled. The test for the U.S. Administration is to find a way to support the process appropriately, even if it is not completely convinced of its content. The U.S. at least should expand its community infrastructure support with respect to electricity, potable water, health and schools in Cité Soleil and the other neighborhoods where the gangs are being pressed to demobilize. Otherwise the gangs will continue to occupy the void left by the absence of state security and state services.

One of the cautionary notes I would urge is that the USG lower its own public media exposure. The public advertisement of a readiness to buy back weapons with a phone number at the US embassy needlessly riled Haitian nationalistic sentiments. The same

program announced by the Government of Haiti or the UN and funded by the US would have achieved the same results without the negative flack we now see.

Policing the police:

Now let me turn to the police. By June 2005, it was evident that the Haitian National Police were more of the problem than the solution.

Despite the evidence of corruption within the force, including aiding one gang or another in turf battles, and involvement in kidnapping, the interim government steadfastly blocked efforts to clean out the police. And MINUSTAH, seeking to avoid a confrontation with the interim government and delays in the electoral process, did not move as forcefully as many hoped.

The Security Council took an important step forward June of 2005 in directing the vetting of the existing force but the interim government did not cooperate and MINUSTAH was reluctant to override them. Now the new mandate adopted in 1702 is no longer in doubt and President Preval has specifically encouraged MINUSTAH to move forward.

Haiti needs to register its entire police, now somewhere between 5,000-7,000, and all of their weapons. It needs to vet for corruption, crime and human rights abuse and remove the 25 percent or more that current HNP chief Mario Andresol said are corrupt. Then it needs to implement the new plan to grow the force to some 12,000 trained and equipped by 2011.

Justice Reform:

We all know that the Haitian justice system is broken and that a major reform effort has to extend from vetting out corrupt judges to restructuring the prison system. Perhaps 90 per cent of the current prisoners have yet to be charged, yet to be tried, and have been in jail for long periods of time. The release of some high profile prisoners who appeared to have been jailed for political reasons was positive but does not remove the need for wholesale reform. The Preval government appears to accept that need. Having seen previous attempts fail, I would only urge the US government to support the new government/MINUSTAH reform program as part of a coordinated donor partnership. The Inter-American Commission on Human Rights also has made impressive recommendations in this area. But police reform without justice reform is like one hand clapping. As we learned a decade ago, without justice reform, police reform will fail.

Politics and Governance:

It would be nice to say that the political transition is complete in Haiti, but unfortunately that is not the case. Along with the remaining 10 per cent of the Senate and 15 per cent of the Assembly, there are some 140 towns that have to elect mayors and two deputies and 483 town delegates and some 570 rural districts have to elect both councils and administrators. Clearly urgent consideration needs to be given to an electoral plan to fill the remaining parliamentary seats and to choose the mayors. Unless there is a legal

change, the local elections are needed to name judges and create a permanent electoral council. Now called for 3 December, there still are grave technical and logistics issues involving candidates, printing ballots, etc. All parties need to be sure that those issues can be resolved. A permanent and transparent electoral council still is lacking and a professional electoral administration still needs to be established.

I will end by simply noting two permanent issues of concern: public education and charcoal. Some 40 per cent of Haiti's school-age children are not in school. Of those in school nearly 80 per cent are in private schools, some good, many not. Haiti desperately needs a comprehensive education strategy over the next ten years to fill the gap, expanding the number of good public schools, raising the standards of private schools and helping them meet those norms. The World Bank and the IDB are ready to help. The U.S. should be as well. More resources need to be found to give all Haitian children the chance to learn.

Finally, charcoal. Charcoal is burned for cooking fuel. It is a source of income for those who sell it in the streets and shanty towns, a source of air pollution and the driving force behind Haiti's deforestation. Every tree in Haiti is at risk of being turned into charcoal. Only a comprehensive scheme to subsidize the conversion to non-charcoal burning stoves, ideally using a bio-fuel of some sort can check the downward spiral in Haiti's continuing depletion of its trees. That program also is needed to have any chance of protecting the higher value fruit trees that—if allowed to survive—could produce more significant agricultural revenues for Haitian farm families.

To summarize what needs to be done, we would urge the U.S. government, with as little fanfare as possible, to:

- Support the demobilization and disarmament efforts of the Preval administration and MINUSTAH – and emphasize rapid disbursing community infrastructure and jobs projects concurrently with the dismantling of the gangs. The two most popular projects perhaps would be expanding access to potable water and electricity.
- Cooperate fully with the Haitian and UN police reform action plan that finally appears ready to begin vetting current police and quickly obtain the \$20 m. “1207” money from DOD to help finance that effort;
- Double, at a minimum, the number of American police seconded to United Nations Police (UNPOL) within MINUSTAH—I find it embarrassing that only 45 U.S. police serve in a force authorized at 1951 officers when the Chinese government has sent 130. I believe at least that number of Haitian-American police who speak Creole could be made available. An extra effort by the U.S. also might encourage other countries to increase their police contribution since the UN police force remains about 300 below the authorized levels.
- Accelerate disbursement of USAID and State economic and social development grants—on education, rural development, and boosting small farmer income.

- Join with the Government of Haiti to combat drug trafficking and smuggling by ending the criminal influence in many Haitian ports, expanding US counternarcotics funding and coast guard support, ending the squabbling among US counterdrug agencies and UNPol, and filling all authorized slots within all USG agencies approved for Haiti. When I was there, I was told that 3 of the 5 DEA slots remained unfilled, in a country where drug transiting is a major problem for the U.S. and a major source of gang financing and turf warfare. If the U.S. had all of its authorized slots filled, it also would be more likely that the U.S. voice would carry more weight in demanding that the UN fill all of its slots—including such senior positions as the head of the UN police.
- Lead by example in the donor community by making good on pledges ahead of time, building on the successful fast disbursing projects of OTI and using or requesting waiver authority where needed to move resources rapidly. Rapid action could help bolster the ministries by funding young professionals—perhaps Haitian-Americans or Haitian-Canadians from the diaspora--to work in the ministries in policy planning and budgeting to help strengthen a very thin government administrative capacity.
- Insure that Haiti is treated at least equally to Central America under CAFTA and African developing nations under AGOA by adopting HOPE trade legislation and debt relief. I should note that Haiti's budget and macroeconomic strategy received the World Bank and IMF approval last week making Haiti eligible to enter HIPIC.
- Make sure that the remaining elections for 15 per cent of the Assembly and 10 per cent of the Senate are held as early as possible, along with the mayoral elections that need to be run. The CEP demand for a 3 December date was endorsed by President Preval two days ago. Logistics and technical questions still exist whether those elections, when combined with the more complicated community elections, can be held on such short notice. Unless there is a change in the law and/or Constitution, the local elections remain linked to judicial reform and a permanent electoral council and both are crucial to Haiti's governance.

I want to thank you Mr. Chairman for holding this hearing. I would hope it might end with a bi-partisan commitment to a ten-year U.S.- Haiti cooperation plan of \$200 million per year to support Haitian development. If that sounds like a lot of money, I would just note that the cost of one year's UN peacekeeping is \$500 million.

